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6 IN THE UNITED STATES DISTRICT COURT  
7 FOR THE DISTRICT OF ARIZONA

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9 Josue ROMERO, ) No. CIV 04-1489-PHX-SMM  
10 Plaintiff, )  
11 vs. ) **ORDER**  
12 SAND LIVESTOCK SYSTEMS, et al., )  
13 Defendants. )  
14

15 Pending before the Court is a Stipulation for Extension of Time to Respond to  
16 Defendant Ruiz' Motion for Summary Judgment. (Doc. No. 95)

17 Unfortunately, counsel for Plaintiff Josue Romero suffered an injury that has necessitated  
18 continuing the deadline for Plaintiff to respond to Defendant Ruiz's Motion for Summary  
19 Judgment. By stipulation, the parties now seek an open deadline for Plaintiff's response to  
20 accommodate counsel for Plaintiff's recovery process. While the Court understands  
21 counsels' efforts to cooperate, the Court does not grant open extensions. Because counsel  
22 are cooperating in this matter, another avenue can be taken.

23 Therefore,

24 **IT IS ORDERED** that the Stipulation for Extension of Time to Respond to Defendant  
25 Ruiz' Motion for Summary Judgment (Doc. No. 95) is **DENIED**.

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27 **IT IS FURTHER ORDERED DENYING** Defendant's Motion for Summary Judgment  
28 (Doc. No. 87) **WITHOUT PREJUDICE**. Defendant may re-submit the Motion for

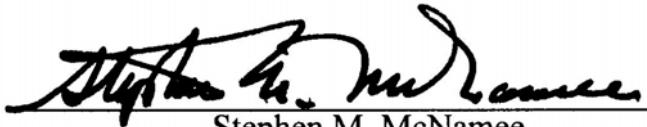
1 Summary Judgment at such time as Defendants and/or Plaintiff are prepared to go forward  
2 in this matter.

3 DATED this 14<sup>th</sup> day of May, 2007.

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7 Stephen M. McNamee  
8 United States District Judge

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